IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 8TH AUGUST 2007 / 17TH SRAVANA 1929

Crl.Rev.Pet.No. 2960 of 2007()

CRA.61/2007 of ADDL. SESSIONS COURT (ADHOC)-II, ALAPPUZHA
CC.205/2005 of JDUL.MAGISTRATE OF FIRST CLASS, RAMANKARI

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REVN. PETITIONER: APPELLANT/ACCUSED

HARIHARAN, AGED 50 YEARS,
S/O. KUNJUNNI, HANIYIL VEEDU, VMC NO.20,
VAIKOM P.O., VAIKOM.

BY ADV. SRI.B.PRAMOD
SRI.GEORGE MATHEWS

RESPONDENTS: RESPONDENTS/COMPLAINANT & STATE

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1. POTHEN JOSEPH,
KOTTUKAPPALLY VEEDU, KAVALAM, KUTTANADU,
ALAPPUZHA.

2. THE STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI.GEORGE SEBASTIAN

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 08/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No. 2967 of 2007

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Dated, this the 8th day of August 2007

ORDER

The accused in S.T. No. 260 of 2005 on th**e file** of the Special Judl. First Class Magistrate (Marad Cases), Kozhikode for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A 8602 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR, (JUDGE)

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